

## **REMARKS**

### **Status of the Claims**

- Claims 12-14, 18, 20, and 22-26 are pending in the Application.
- Claims 12-14, 18, 20, and 22-26 are rejected by Examiner.

### **Claim Rejections Pursuant to 35 U.S.C. §103**

Claims 12-14, 18, 20, and 22-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable by U.S. Patent Publication No. 2002/0071448 to Cervello et al. (Cervello) in view of U.S. Application No. 60/387,434 to White et al. (White). Applicant respectfully traverses the rejection.

Cervello discusses collision avoidance in an IEEE802.11 contention free period (CFP) with overlapping Basic Service Sets. Cervello introduces a second network allocation vector (NAV) counter called an Overlapping Network Allocation Vector (ONAV) counter as an integral part of a scheme to reduce contention in the specific situation where there are overlapping basic service sets. As indicated in Cervello, paragraph 0022:

“It is yet another object of the present invention to define a new counter called Overlapping Network Allocation Vector (ONAV) to render the RTS/CTS during CFP truly effective even in the existence of the STAs in CFP in the case of overlapping BSSs.” (Cervello, paragraph 0022).

Cervello makes clear that the contention reduction scheme discussed is used in the context of two overlapping BSSs in paragraph 0023:

“It is still yet another aspect of the invention to provide a hybrid wireless MAC protocol for isochronous traffic support which uses a novel Ready To Send(RTS)/Clear T o Send(CTS) exchange during a contention free period (CFP) in order to avoid contention from Stations (STAs) in overlapping BSSs, combined with a new counter called Overlapping Network Allocation Vector (ONAV) to render the RTS/CTS during CFP truly effective even in the existence of the STAs in CFP in the case of overlapping BSSs...” (Cervello, paragraph 0023).

Cervello teaches using both the NAV counter and the new ONAV counter as part of the solution to reduce contention in a multiple BSS environment. See Cervello, paragraph 0041.

Applicant notes that Cervello is absent any teaching of a multicast environment where a plurality of multicast frames are sent to multiple stations in an uninterrupted manner.

Thus, while Cervello addresses contention in the situation of multiple BSSs where a NAV and a new ONAV counter are used, the presently claimed invention operates in a single BSS environment to reduce contention in a multicast environment where only one NAV counter is used. Applicant notes that the pending claims do not contain an ONAV counter and multiple BSSs as is required by Cervello.

Accordingly, Cervello fails to disclose elements of an infrastructure basic service set, a plurality of multicast frames sent to a plurality of wireless stations, and an uninterrupted time duration for sending the multicast frames as indicated in pending independent Claims 12, 13, 18, and 23.

Along with the above major differences, the current Office Action on page 5 indicates that "...Cervello does not teach that the time duration is for a plurality of multicast frames, such that the communication stream of the plurality of multicast frames is uninterrupted." Applicant agrees. However, Applicant respectfully disagrees that White discusses the elements of independent Claims 12, 13, 18, and 23 that are missing in Cervello.

White describes a system that transmits a broadcast message and then receives sequential responses via unicast replies from the wireless stations that received the broadcast transmission. (See White, paragraphs 0019-0020). The advantage of such a system is that retransmission, if required, need only be sent to the addresses for which an acknowledgement message was not received. White defines this combination of a broadcast transmission from a broadcast node followed by multiple sequenced unicast return transmissions from receiving nodes as a "Multicast-Broadcast".

White, in paragraph 0020 acted as his own lexicographer and coined the term "Multicast-Broadcast". White defines this term to be a protocol including a broadcast transmission followed by multiple time-sequenced unicast transmissions. Specifically, White, at paragraph 0020 states:

"[0020] A system and method according to an embodiment of the present invention provides a way to gain the benefits of both broadcast and unicast by acknowledging the broadcast packet. This method will be referred to herein as a Multicast-Broadcast." (White, paragraph 0020)

Since White specifically defines the term "Multicast-Broadcast" as being a broadcast transmission followed by unicast acknowledgement transmissions, then one of skill in the art would not misinterpret White's coined term to be a multicast transmission as is well known in IEEE802.11 usage. It is well known that a broadcast transmission and a multicast transmission are not the same transmission because they have different meanings to one of skill in the art. Accordingly, White's use of the compound term "Multicast-Broadcast" is clearly not a multicast transmission as known to those of skill in the art because White defines his term as both broadcast and unicast.

Applicant notes that neither the term broadcast nor the term unicast is used in independent Claims 12, 13, 18, or 23. Thus, Applicant respectfully concludes that White's use of broadcast and unicast transmissions do not lie in the same claim space as the pending claims which describe multicast transmissions.

Since Cervello fails to teach or suggest all of the elements of independent Claims 12, 13, 18, and 23, and since White also fails to teach or suggest the elements that are missing from Cervello, and since White specifically addresses a combination of broadcast and unicast transmissions, whereas the present claims are directed to multicast transmissions, then, it would be clear to one of skill in the art that the combination of Cervello and White do not teach or suggest all of the aspects of the pending independent claims. Thus, there is no motivation to combine the references under 35 USC §103(a) per MPEP §2143 to arrive at the claimed invention because all of the elements are not found in the combination of the cited art.

Applicant respectfully submits that independent Claims 12, 13, 18, and 23 patentably define over the cited art as described above. Also, the dependent claims of the above-mentioned independent claims are likewise rendered patentably distinct over the cited references per MPEP §2143.03.

## Conclusion

Applicant respectfully submits that the pending claims patentably define over the cited art for the reasons stated herein. Applicant respectfully requests continued examination, reconsideration and withdrawal of all rejections, and a withdrawal of the finality of the present office action based on the arguments above.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefore.

Respectfully submitted,  
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